

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION - CLEVELAND

IN RE: )  
 ) CASE NO. 09-21394  
 )  
Brenda J Weitzel ) CHAPTER 13  
 )  
Debtor ) JUDGE Randolph Baxter  
 )  
 ) **OBJECTION TO CONFIRMATION**  
 ) **OF THE CHAPTER 13 PLAN**  
 )

Now comes Ford Motor Credit Company LLC, a creditor herein holding a secured claim in the with in proceedings, by and through counsel, pursuant to 11 U.S.C, Section 1324 and objects to the confirmation of the plan, based upon the proposed valuation of the collateral for the following reasons:

1. The within case was filed on December 2, 2009 and is governed by BAPCPA of 2005.

2. Creditor has a security interest in a 2007 Ford Escape, VIN#1FMCU03167KA84535.

3. On March 29, 2007, the Debtors listed above (collectively, the "Debtor") obtained a loan from Movant for the purchase of said 2007 Ford Escape, VIN#1FMCU03167KA84535.

4. The monthly payment amount is \$346.23 and Creditor is owed \$11,845.54.

5. The value of the collateral is \$18,325.00, pursuant to N.A.D.A.

6. Creditor should be secured to the extent of the value of the collateral in the amount of \$18,325.00.

7. Debtor has proposed an interest rate of 0%. Creditor requests a rate as mandated by In re Till, 541 US 465, 124 S. Ct.1951.

8. The objection that is raised herewith is a standing objection and shall continue with reference to the currently proposed plan and any subsequently modified plan or plans.

WHEREFORE, Creditor prays that this Court deny confirmation of the Debtor(s) proposed Chapter 13 Plan.

/s/ Cynthia A. Jeffrey

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REIMER, ARNOVITZ, CHERNEK &  
JEFFREY CO., L.P.A.

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BY: Faye D. English #0075557

BY: Edward A. Bailey #0068073

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Attorneys for Movant

### Notice of Hearing

Parties in interest shall take notice that the within Objection of Ford Motor Credit Company LLC to Confirmation of Chapter 13 Plan shall come on for hearing on January 27, 2010 at 10:00 a.m., in conjunction with the 1<sup>st</sup> meeting of creditors in the within matter.

/s/ Cynthia A. Jeffrey

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CERTIFICATE OF SERVICE

A copy of the foregoing Objection was served on the following registered CM/ECF participants, electronically through the Court's transmission facilities at their email addresses listed on the COURTS ELECTRONIC MAIL NOTICE LIST.

1. Office of the U.S. Trustee  
Served via: (registered address)@usdoj.gov
2. Craig H. Shopneck, Trustee  
Served via: ch13shopneck@ch13cleve.com
3. William Balena, Esq.  
Served via: bbalena@mac.com

I hereby certify that the following were served by mailing on January 15, 2010 the same by ordinary U.S. mail, postage prepaid, to the persons listed below:

1. Brenda J Weitzel, Debtor  
41380 Oberlin-Elyria Rd  
Elyria, OH 44035

/s/ Cynthia A. Jeffrey

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